

### ***REMARKS***

This is a full and timely response to the outstanding non-final Office Action mailed September 7, 2004. Reconsideration and allowance of the application and presently pending claims 7-12, 20-25, 27-31 and 41-82, as amended, are respectfully requested.

1. Present Status of Patent Application

Upon entry of the amendments in this response, claims 7-12, 20-25, 27-31 and 41-82 remain pending in the present application. More specifically, claims 7-8, 20-21, 27 and 41-42 are directly amended, claims 1-6, 13-19, 26 and 32-40 are canceled without prejudice, waiver, or disclaimer, and claims 46-82 are added. These amendments are specifically described hereinafter. It is believed that the foregoing amendments and additions add no new matter to the present application.

2. Response to Rejection of Claims 13-25 Under 35 U.S.C. §101

In the Office Action, claims 13-25 stand rejected under 35 U.S.C. §101 as allegedly being unpatentable because the claimed invention is directed to non-statutory subject matter.

Claims 13-19 are canceled without prejudice, waiver, or disclaimer, and therefore, the rejection to claims 13-19 are rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application.

Applicants note that claims 20 and 21 are amend in accordance to the Examiner's suggestion made to claim 13. Claims 20 and 21 are rewritten into independent claim format for the reasons described hereinbelow. Accordingly, Applicants respectfully request withdrawal of the rejection to the remaining claims 20-25. Also, Applicants thank the Examiner for the suggested amendment.

3. Acknowledgement of Allowable Subject Matter

Applicants acknowledge the Examiner's conclusion that the subject matter of claims 7-12, 20-25, 27-31 and 41-45 is allowable, as noted in paragraph 8 of the Office Action. Accordingly, Applicants have amended claims 7, 8, 20, 21, 27, 41 and 42 into independent claim format to include all the limitations of their respective base claim and any intervening claims.

Applicants wish to clarify that the amendments to claims 7, 8, 20, 21, 27, 41 and 42 are made for purposes of placing the claims in condition for allowance, and not in response to any rejections made based on cited art. Because a dependent claim as a matter of law inherently contains all of the limitations of its respective independent claim, and any intervening claims, the amendments to claims 7, 8, 20, 21, 27, 41 and 42 do not additionally narrow the scope of claims 7, 8, 20, 21, 27, 41 and 42 in any manner. The amendments to claims 7, 8, 20, 21, 27, 41 and 42, now in independent claim format, merely add the text of limitations inherently included in claims 7, 8, 20, 21, 27, 41 and 42 as originally filed. Indeed, Applicants submit that no substantive limitations have been added to the amended claims 7, 8, 20, 21, 27, 41 and 42. Therefore, no prosecution history estoppel should arise from these amendments.

4. Response to Rejection of Claims 1-6, 13-19, 26 and 32-40 Under 35 U.S.C. §103(a)

In the Office Action, claims 1-6, 13-19, 26 and 32-40 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Konno*. (U.S. Patent 5,835,703), in view of *Gorczyca* (U.S. Patent 5,822,531). Applicants respectfully traverse the rejection of these claims.

Claims 1-6, 13-19, 26 and 32-40 are canceled without prejudice, waiver, or disclaimer, and therefore, the rejection to these claims are rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the canceled subject matter to the public.

5. Newly Added Claims 46-82

New claims 46-82 are based on subject matter that is explicit and/or inherent within the description of the specification and/or the drawings. Applicants submit that no new matter has been added in the new claims 46-82, and that new claims 46-82 are allowable over the cited prior art. Therefore, Applicants request the Examiner to enter and allow the above new claims.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 7-12, 20-25, 27-31 and 41-82 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



---

**Raymond W. Armentrout**  
**Reg. No. 45,866**